

REQUEST FOR BOARD ACTION

Henderson County Technical Review Committee

Meeting Date: November 2, 2010

Subject: Planning Board Modifications to the Proposed LDC 2010 Annual Text Amendments (TX-2010-02)

Staff Contact: Autumn Radcliff, Senior Planner

Attachments: 1. Staff Memorandum

SUMMARY OF REQUEST:

On September 7, 2010, the TRC reviewed the proposed LDC 2010 Annual Text Amendments (TX-2010-01) and voted unanimously to recommend the Board of Commissioners (BOC) approve the text amendments. The Planning Board reviewed the proposed text amendments at its meeting on October 21, 2010 and voted unanimously to recommend the BOC approve the proposed amendments with some modification. The TRC must review the proposed text amendments as modified by the Planning Board and provide a recommendation to the BOC. The revised LDC text amendments are attached and the changes are highlighted in gray.

Suggested Motion:

I move the Technical Review Committee recommend the Board of Commissioners approve the proposed LDC 2010 Annual Text Amendments (TX-2010-02) as modified by the Planning Board.

HENDERSON COUNTY
Planning Department

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MEMORANDUM

TO: Henderson County Technical Review Committee

FROM: Autumn Radcliff, Senior Planner

DATE: October 25, 2010

SUBJECT: Planning Board Modifications to the Proposed LDC 2010 Annual Text Amendments (TX-2010-01)

On September 7, 2010, the TRC reviewed the proposed LDC 2010 Annual Text Amendments (TX-2010-01) and voted unanimously to recommend the Board of Commissioners (BOC) approve the text amendments. The Planning Board reviewed the proposed text amendments at its meeting on October 21, 2010 and voted unanimously to recommend the BOC approve the proposed amendments with some modification. The TRC must review the proposed text amendments as modified by the Planning Board and provide a recommendation to the BOC. The revised LDC text amendments are listed below and the changes are highlighted in gray.

- (1) **Subdivision Amendment 1: Existing Cemeteries in a Subdivision.** The Henderson County Cemetery Advisory Committee requested new subdivisions require existing cemeteries be deeded as a separate lot with road access. Cemetery lots are non-standard and will not count toward overall density calculation. Due to the location of these cemeteries, the Planning Board was concerned that requiring a road to be constructed to the site could have significant land disturbance and erosion issues, but agreed that access via a recorded right-of-way or easement should be provided.

The proposed amendment requires existing cemeteries be deeded as a separate lot with a minimum 20 foot wide private or public easement. Major subdivision shall provide access with a minimum 20 foot wide right-of-way (ROW) (road construction is not required) and a 12 foot wide travelway.

Amendments to the Improvement Guarantee Standards:

- (1) **Application Requirements.** The proposed changes require that before an applicant can apply for an improvement guarantee the following apply:
- a. A minimum of 50 percent of the required on-site improvements (based on total project cost that the applicant is guaranteeing) is in place (includes rough grading of proposed roads subject to the improvement guarantee).
- (2) **Cost Estimate Standards.** Add a provision requiring the applicant to include the following:
- a. Be prepared by a professional engineer licensed in N.C., or certified by a professional land surveyor or landscape architect who is routinely engaged in cost estimates and licensed in N.C., at the applicant's expense.
 - b. Provide a schedule for initiation and completion of work.

- c. Include separate estimates for roads, bridges, water and sewer infrastructure, stormwater infrastructure, pedestrian infrastructure, utilities (including electrical power, natural gas and communication lines), etc. consistent with submitted design plans construction specifications.
- d. Include separate estimates for off-site improvements (road improvements, mitigation work, sewer improvements, etc) required as related to the improvements covered in said improvement guarantee.